

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

IN RE: DOUGLAS KOCH
55 N FRANKLIN ST
ATHENS NY
12015

NOTICE OF MOTION

CASE #09-13116

NOTICE OF DEFAULT AND NOTICE OF CONDITIONAL
MOTION TO DISMISS CHAPTER 13 CASE

According to the Trustee's records, your Chapter 13 plan payments are in default.

In order to correct this default, you must contact the Trustee's office at (518) 449-2043 within 10 days of the date of this letter. If you do not contact the Trustee's office within the allotted time, this document will be filed with the Clerk, U.S. Bankruptcy Court and will constitute Notice of a Motion to Dismiss your case pursuant to Section 1307 (c) of the Bankruptcy Code (11 U.S.C. 1307) due to material default by the debtor with respect to a term of a confirmed plan.

Motion will be returnable at the James T. Foley Federal Court House, Third Floor, Room 306, Albany, New York on October 7, 2010 at 12:15 PM. If a previous motion to dismiss has been received, the earlier motion date is still in effect.

Dated: September 3, 2010

/s/ Andrea E. Celli
Andrea E. Celli
Chapter 13 Standing Trustee
7 Southwoods Boulevard
Albany, New York 12211
(518) 449-2045

CERTIFICATE OF MAILING

The undersigned hereby certifies that a copy of Motion was mailed this date to the parties noted below.

Dated: September 3, 2010

Signed: /s/ DEBI WASIELEWSKI

Debtor(s): Above

Attorney: RICHARD CROAK & ASSOC.
314 GREAT OAKS BLVD
ALBANY, NY
12203

United States Bankruptcy Court
445 Broadway, Suite 330
Albany, New York 12207